

EXHIBIT 1

Lisa N. Himes

From: Lisa N. Himes
Sent: Tuesday, April 17, 2018 1:15 PM
To: EFOIA@uscg.mil
Subject: Blixseth/FOIA Request
Attachments: Commandant re Tim Blixseth FOIA Request 4.17.18.pdf

To Whom It May Concern,

Attached please find a FOIA request, which is being mailed as well. Feel free to contact me with any questions.

Best regards,
Lisa Norrett Himes

Lisa Norrett Himes | Of Counsel
ROGERS JOSEPH O'DONNELL | a Professional Law Corporation
875 15th Street, N.W., Suite 725 | Washington, D.C. 20005
202.777.8953 direct | 202.347.8429 fax

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ROGERS JOSEPH O'DONNELL

Lisa N. Himes
202.777.8953 (d)
lhimes@rjo.com

April 17, 2018

VIA EMAIL AND FIRST CLASS MAIL

Commandant (CG-611)
Attn: FOIA Officer
U.S. Coast Guard Stop 7710
2703 Martin Luther King Jr. Ave, S.E.
Washington, D.C. 20593-7710
Email: EFOIA@uscg.mil

Re: Freedom of Information Act Request

To Whom It May Concern:

On behalf of client, Tim Blixseth, Rogers Joseph O'Donnell, PC makes this request for the records described below pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

We request that you adhere to the time limitations set forth in 5 U.S.C. § 552(a)(6)(A). We also ask that you forward information related to any individual request without waiting until all records are located (i.e., please provide records on a rolling basis). If you determine that a record contains material exempt from disclosure, please review it for possible discretionary disclosure. In addition, we request that you produce any and all segregable portions of the record in question. Please notify me when responsive records are either furnished or specifically identified and denied for release. If no records exist for any request, please provide written confirmation of same.

We further request that, pursuant to 5 U.S.C. § 552(a)(3)(B), your agency produce responsive documents in the native electronic format in which the document was created. To the extent that your agency is unable to produce the responsive documents in the requested format, we request that your agency confirm that the record does not exist in native format and produce the documents in the following format, listed in accordance with our preference: 1) PDF format; or 2) paper copy. While the burden is on the government to produce all documents within the required time period, we are willing to discuss and agree upon the means and sequence of production to facilitate government compliance with the law.

To the extent that you determine that any subject document will not be disclosed because it meets any of the criteria in the FOIA for nondisclosure, you are requested to identify such documents in accordance with the requirements of *Vaughn v. Rosen*, 523 F.2d 1136 (D.C. Cir. 1975). To the extent that you determine that any subject document will not be disclosed because it is classified in accordance with document classification procedures of your Department,

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Commandant (CG-611)

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request is hereby made that such document be declassified or redacted sufficiently to enable useful review and inclusion of its identifying characteristics under *Vaughn v. Rosen*.

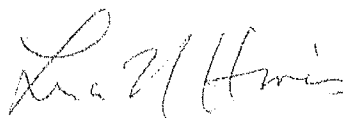
REQUESTED DOCUMENTS

Please provide the following records¹ to the undersigned:

1. All documents² from the period of January 1, 2010 through December 31, 2010 that refer or relate to Blixseth, Piano Bar, or Yellowstone Aviation & Marine.
2. All emails from any and all of former U.S. Commandant Robert J. Papp, Jr.'s email accounts from the period of May 25, 2010 through December 31, 2010, referencing:
 - a. Piano Bar
 - b. Yellowstone
 - c. Yellowstone Aviation & Marine
 - d. Blixseth

We are willing and able to pay all reasonable and applicable fees in connection with this request as required under statute and regulation. We request prior notice only if you determine that such costs will exceed \$1,000. Please feel free to contact me by phone (202-777-8953) or by email (lhimes@rjo.com) if you have any questions about this request or need further information.

Best regards,



Lisa N. Himes

¹ An "agency record" includes "the products of data compilation, such as all books, papers, maps, photographs, and machine readable materials, inclusive of those in electronic form or format, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law in connection with the transaction of public business and in DA possession and control at the time the FOIA request is made." 32 CFR § 518.7(b).

² As used herein, the term "document" should be interpreted broadly to include anything that constitutes an "agency record" including, but not limited to, emails and other electronic communications.